

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Joshua Gottschalk, Special Agent, Homeland Security Investigations (“HSI”), being duly sworn, depose and state as follows:

I. Purpose of the Affidavit

1. This affidavit is being submitted in support of a complaint charging Rudy Adonaldo CHAVEZ with possession with intent to distribute 4 ounces or more of cocaine in violation of 21 U.S.C. § 841.

II. Your Affiant

2. I am an “investigative or law enforcement officer” of the United States within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States empowered by law to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516.

3. I am a duly sworn member of HSI, an agency in the Department of Homeland Security, formerly known as Immigration and Customs Enforcement (ICE). I am currently assigned to the Baltimore Field Office as well as to the Organized Crime Drug Enforcement Task Force (OCDETF) Strike Force in the District of Maryland. I have been employed as a Special Agent with HSI since 2009. I completed the Federal Criminal Investigator Training Program and the Immigration and Customs Enforcement Special Agent Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. I received training in drug investigations and money laundering investigations. I also received training in investigative methods to trace illegal proceeds and prove financial crimes, asset forfeiture, and financial investigations.

4. I am responsible for conducting investigations involving specified unlawful activities, to include drug smuggling and money laundering, among other violations, occurring in the District of Maryland. I am also responsible for enforcing criminal and civil violations of the

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Money Laundering Control Act as found in Title 18, United States Code. I have actively participated in investigations of criminal activity, including but not limited to, the investigation of drug smugglers and money launderers. During these investigations, I have also participated in the execution of search warrants and the seizure of evidence indicating violations of drug smuggling and money-laundering. As an agent of HSI, I have testified under oath, affirmed to applications of search and arrest warrants, and participated in and served as the affiant on Title III wire intercept investigations. HSI, particularly under the auspices of OCDETF, is responsible for the enforcement of federal narcotics laws. I have personally conducted and participated in investigations, which have resulted in the arrest and conviction of numerous individuals responsible for trafficking in narcotics.

III. Applicable Statute

5. Under that Title 21, United States Code, Section 841 it is unlawful to commit a violation of 21 U.S.C. 841(a)(1). Under Title 21, United States Code, Section 841(a)(1) it is unlawful to knowingly or intentionally manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance.

IV. Facts Supporting Probable Cause

6. On January 17, 2020, the Maryland State Police (MSP), Proactive Criminal Enforcement Team (PACE) (hereinafter MSP PACE) conducted a traffic stop on a gold in color Honda Civic bearing Maryland license plate, 7CB3221. The vehicle was travelling at 72 mph in a posted 65 mph zone. A search of the Maryland MVA records found license plate 7CB3221 to be a gold Honda Civic, VIN#2HGFA16578H344465), registered to Jorge Neftaly LOPEZ Chavez (DOB: 07/23/1988), with an address of 6715 Bessemer Avenue, Baltimore, Maryland, 21222. The traffic stop was conducted at mile marker 69.3 on Interstate 95 in Baltimore County, Maryland.

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7. MSP PACE identified the driver of the vehicle as Rudy Adonaldo CHAVEZ (hereinafter CHAVEZ), DOB: 10/08/1990. A search of the National Crime Information Center (NCIC) for CHAVEZ revealed Guatemalan citizenship with an arrest on 04/15/2019 by U.S. Customs and Border Protection in Welton, Arizona for Alien Inadmissibility under section 212.

8. Pursuant to the traffic stop, a roadside interview of CHAVEZ and a culmination of evidence and statements provided by CHAVEZ, MSP PACE requested a K-9 scan of the vehicle. K-9 handler Cpl. Brian Hirsch and his K-9, Pascal, responded. Pascal, which was initially certified to detect controlled substances in 2010 and has been certified yearly since then, alerted for the presence of a controlled substance within the vehicle. As a result, MSP PACE conducted a search of the gold Honda Civic where Cpl. Hirsch and other law enforcement identified a white Dunkin Donuts bag containing seven (7) individually packed bags wrapped in clear plastic wrap, containing a white powdery substance in the center console of the vehicle. While no field test was conducted because of a concern that the substance may contain fentanyl, based on the appearance of the substance, the manner in which it was packaged, and Cpl. Hirsch's training, knowledge and experience¹, law enforcement believed the substance to contain cocaine. It has since been sent to the crime lab to confirm the substance is in fact cocaine.

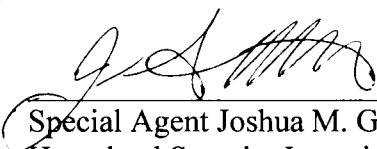
9. MSP PACE further identified a toll receipt from New Jersey's George Washington Bridge and a review of license plate readers by MSP PACE showed the gold Honda Civic had been traveling Southbound on Interstate 95 from Delaware. CHAVEZ was subsequently placed under arrest and transported to the JFK Memorial Barrack where CHAVEZ was advised of his

¹ Cpl. Hirsch has been a K-9 officer since April, 2010. During his career, Cpl. Hirsch has seized multiple quantities of suspected controlled substances, which upon analysis confirmed the existence of cocaine.

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Christopher Romano
1-22-2020

rights, processed and charged. CHAVEZ was later transported to the Baltimore County District Court Commissioner for further processing.


Special Agent Joshua M. Gottschalk
Homeland Security Investigations

Sworn to before me this ^{31st} ~~2nd~~ day of January 2020.


J. Mark Coulson
United States Magistrate Judge

FILED _____ ENTERED _____
LOGGED _____ RECEIVED _____

JAN 23 2020

CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
BY _____

DEPUTY 